

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

FOR

: MTD PRODUCTS INC

: A VARIABLE SPEED
MECHANISM AND
METHOD FOR
CONTROLLING THE SPEED
OF AN ASSOCIATED
VEHICLE

SERIAL NO.

: 09/578,521

FILED

: May 24, 2000

EXAMINER

: T. Hannon

ART UNIT

: 3682

LAST OFFICE ACTION

: January 4, 2001

ATTORNEY DOCKET NO.

: 0267.0605

Akron, Ohio 44308-1136

March 30, 2001

CERTIFICATE OF MAILING

I hereby certify that this **SUPPLEMENTAL REISSUE APPLICATION DECLARATION**
BY THE ASSIGNEE is being deposited with the United States Postal Service as first class mail
in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, DC 20231,
on this 30 day of March, 2001.

By: Janet E. Sigler
Janet E. Sigler

SUPPLEMENTAL REISSUE APPLICATION DECLARATION BY THE ASSIGNEE

Commissioner of Patents
and Trademarks
Washington, DC 20231

Reissue Application Declaration By the Assignee

I hereby declare that:

My residence, post office address, and citizenship are stated below next to my name.
I am authorized to act on behalf of the following company: **MTD Products Inc** and the title of my position with said company is: **Vice President of Product Development and Engineering**.

The entire title to the patent identified below is vested in said company, as shown in the Assignment document at Reel 8263, Frame 0374. Every error in the patent which was corrected in the present reissue application, and is not covered by a prior oath/declaration submitted in this application arose without any deceptive intention on the part of the applicant.

Name of Patentee(s): Michael Kamm
Patent Number: 5,803,847
Date Patent Issued: September 8, 1998

Title of Invention: **A Variable Speed Mechanism and Method for Controlling the Speed of an Associated Lawn Apparatus**

I believe said patentee(s) to be the original, first and sole or joint inventor(s) of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled: **A Variable Speed Mechanism and Method for Controlling the Speed of an Associated Lawn Apparatus** the specification of which

X is attached hereto.

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

 by reason of a defective specification or drawing.

 X by reason of the patentee claiming more or less than he had the right to claim in the patent.

 by reason of other errors.

FD-502 (Rev. 6-5-59)

At least one error upon which reissue is based is described as follows:

In light of Jones et al, the issued claims may be broader than the patentee has a right to.

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

I hereby appoint the following attorney(s) and/or agents(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

| Name(s) | Registration Number |
|------------------|---------------------|
| Roger D. Emerson | 33,169 |

Please send all correspondence to:

Daniel A. Thomson
One Cascade Plaza
Fourteenth Floor
Akron, Ohio 44308
USA
Telephone: (330) 535-9999
Facsimile: (330) 535-5000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Nick J. Cashier
Nick Cashier, Vice President of Product Development and Engineering

1500 Surrey Downs
NOVELTY, CIT 44072
Residence Address

USA
Citizenship

Post Office Address

FILED - 04/06/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REISSUE APPLICATION OF: Michael Kamm

FOR: A VARIABLE SPEED MECHANISM
AND METHOD FOR CONTROLLING
THE SPEED OF AN ASSOCIATED
LAWN APPARATUS

SERIAL NO: 08/708,373

ORIGINAL PATENT NO.: 5,803,847

FILED: September 5, 1996

EXAMINER: M. Kaness

ART UNIT: 3622

LAST OFFICE ACTION:

ATTORNEY DOCKET NO: 0267.0605

Akron, Ohio 4333-1343
May 23, 2000

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this **ASSOCIATE POWER OF ATTORNEY** is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Box Reissue, Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231.

May 24, 2000
Date

Janet E. Sigler
Janet E. Sigler

ASSOCIATE POWER OF ATTORNEY

Dear Sir:

In the matter of the above-identified reissue application, please recognize Daniel A. Thomson (Registration No. 43,189), Marcella R. Louke (Registration No. 41,163), John M. Skeriotis (Registration No. 43,129), Timothy D. Bennett (Registration No. 42,312), and

Kimberly A. Raines (Registration No. P45,696) of Emerson & Associates as my associate attorney or agent, with full power to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

All communications are to be addressed to EMERSON & ASSOCIATES, 4421 Ranchwood Spur, Akron, Ohio 44333.

May 23, 2000
Date

Roger D. Emerson
Roger D. Emerson, Reg. No. 33,169
Attorney for Applicant(s)

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FILED - MAY 23 2000